

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LANCE THOMPSON,

Plaintiffs,

v.

SAFETY-KLEEN SYSTEMS, INC., *et al.*,

Defendants.

Case No. C06-1270RSL

ORDER DENYING MOTION
TO COMPEL AND ORDER TO
SHOW CAUSE

This matter comes before the Court on defendant Safety-Kleen Systems, Inc.’s “Motion to Compel Plaintiff Thompson to Answer Defendant’s Third Set of Interrogatories, Requests for Production and Requests for Admission.” Dkt. # 84. Defendant did not make a good faith effort to confer with plaintiff regarding this discovery dispute before bringing this matter before the Court, as required by Fed. R. Civ. P. 37(a)(2)(A) and as defined in Local Civil Rule 37(a)(2)(A). A phone call demanding immediate capitulation, with no attempt to discuss the basis for plaintiff’s objections or to negotiate a resolution, is insufficient. The meet and confer requirements of Rule 37(a)(2)(A) are imposed for the benefit of both the Court and the parties. They are intended to ensure that only genuine disagreements are brought before the Court and a substantive discussion regarding the issues raised is a necessary part of the process. The evidence submitted by the parties does not support Mr. Hearn’s contention that a good faith effort to resolve this dispute took place.

ORDER DENYING MOTION TO COMPEL
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1 For all of the foregoing reasons, defendant's motion to compel is DENIED.
2 Because it appears that the motion was not substantially justified, defendant Safety-Kleen is
3 hereby ordered to show cause why plaintiff should not recover the reasonable expenses incurred
4 in opposing this motion. Defendant shall show cause no later than 4:30 pm on November 19,
5 2007. Plaintiff, if he intends to pursue his request for fees, shall file a response and statement of
6 reasonable fees and expenses no later than 4:30 pm on November 27, 2007. Defendant may file
7 its reply, if any, by 4:30 pm on November 29, 2007. The Clerk of Court is hereby directed to
8 note this Order to Show Cause on the Court's calendar for Friday, November 30, 2007.

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10 Dated this 8th day of November, 2007.

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12 Robert S. Lasnik
13 United States District Judge
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